



CITY OF ARCHDALE

307 BALFOUR DRIVE
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ARCHDALE, NORTH CAROLINA 27263

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Archdale City Council Pre-Agenda Session Tuesday, December 19, 2006

Members Present: Roger Blackwell, Mayor Pro-Tem; Lewis Dorsett, Tim Williams, Larry Warlick, Eddie Causey, Robert (Trey) Gray, Council Members.

Members Absent: Bert L. Stone, Mayor.

Others Present: Gary Parker, City Manager; William (Bill) Miller, City Attorney; Gary Lewallen, Police Chief; Jeff Wells, Planning Director; Lori Nurse, Finance Director, and April Campbell, Deputy City Clerk.

Mayor Pro-Tem Blackwell called the pre-agenda session to order and asked if there were changes or corrections to the agenda.

Mayor Pro-Tem Blackwell noted they needed to add a Resolution for the High Point Thoroughfare Plan; Mr. Venable will be here to speak on this subject.

Manager Parker stated they would need to add a closed session to the agenda for Economic Development Incentives, this will be Item 12-A per G.S. 143-318.11 (a) (4).

Manager Parker added Item 10 will have two Resolutions on awarding contracts regarding the utilities. Manager Parker noted the PARTF Resolution will be discussed under Additional Items.

Mr. Wells stated at Council's place is the resolution from the High Point Urbanized Area Thoroughfare Plan for consideration.

Manager Parker addressed Council regarding the discussion at the last meeting on the Annual Retreat schedule for March 1-3. Manager Parker stated staff had received items for the Retreat Agenda. Manager Parker noted it's going to be hard to delete anything from the list of discussion items. Manager Parker stated he did not understand Councilman Causey's request on how we can project growth in population in relation to tax revenues with the projected growth in head count.

Councilman Causey stated he wanted Council to look at what we have projected the population (and employee head count) needs are for the City, to make sure we are not growing the headcount/population, faster than the tax base.

Manager Parker stated while this is a worthwhile item it ties into our long-range financial plans on the General Budget, Enterprise Funds, and how to build Fund Balance after our infrastructure expenditures and debt comparisons. Manager Parker suggested they group the projected tax revenues, and employee growth in the same chapter on the Retreat Agenda.

Manager Parker advised Council they will still need to discuss the Storm Water Management Program. Manager Parker added there is an item on the agenda at this meeting for discussion of the Storm Water Consultant. Manager Parker noted the consultant would be responsible for leading items for discussion at the retreat for Council.

Manager Parker reminded Council there will need to be discussion on updating the ward boundaries to equalize the population, which we now know is significantly out of line. Manager Parker noted that even though Council has approved the proposal for even year elections as opposed to the odd years, there still may be discussion ongoing until this goes in front of the General Assembly.

Manager Parker advised Council they will need to review the water/sewer needs and resources including the present day usage numbers in relation to the Enterprise Fund, and Fund Balance for the sewer treatment schedule.

Councilman Causey acknowledged that this is a 10 to 15 year project, and we will need to look at what types of needs do we project will be needed to build up our part of the money for the sewer plant project.

Manager Parker stated Mr. Pritchett, the City Engineer is already working on those numbers for Council. Manager Parker added Council may want to discuss the 311 sewer lines that will open up availability to existing properties. Manager Parker noted that all of these will tie into the water sewer needs revenues on the scheduled joint sewer treatment plant. Manager Parker added we will need to include the annexation agreements that we are involved in at this time both voluntary and involuntary. Manager Parker stated another worthwhile topic will be the acreage fees for a new tap on.

Councilman Causey stated this may need to be included in the long term plan, and the fees may need to be adjusted.

Mayor Pro Tem Blackwell acknowledged that the other part of this is whether or not Davidson Water will be able to take over the water system, or if they will allow the City to take over the water for this area.

Manager Parker stated Council will need to discuss the City Hall expansion. Manager Parker added there is an item on the agenda tonight for the Request for Qualifications on a space needs analysis.

Manager Parker stated one of the items for discussion was for a cost reimbursement from funeral home escorts and all though it's a minor item it is one we need to discuss.

Manager Parker acknowledged there was a request for the future of the Strategic Plan Implementation Team. Manager Parker suggested Council may want to look at the size of the group, does it need to be Archdale citizens only, specific assignments etc.

Manager Parker stated there was a request for legal restrictions on tree removal prior to construction. Manager Parker added this is addressed to a certain extent currently in the zoning ordinance, however, Mr. Wells feels that this could be discussed in more detail.

Councilman Warlick stated he would like to see if the City could legally make a developer abide by their agreements, when a developer agrees to not remove some trees the City does not want removed, and when they start clearing the property those trees are removed and replaced with landscaping.

Manager Parker stated this could be incorporated into an environmental issue.

Manager Parker acknowledged the request for the Park expansion time table and cost. This information is stated in the Capital Improvement Plan and also in the Park Master Plan both of which will be discussed at the Retreat.

Councilman Warlick stated he is concerned that we are off schedule because of not receiving the PARTF Grant. Councilman Warlick does not want the City to tie themselves into mandatory spending if we don't get the support we need to make it happen within 10 years. Councilman Warlick stated without support, we may need to extend the time table.

Mayor Pro Tem Blackwell closed the pre-agenda session.



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Archdale City Council Regular Meeting Tuesday, December 19, 2006

Members Present: Roger Blackwell, Mayor Pro Tem Blackwell; Lewis Dorsett, Tim Williams, Larry Warlick, Eddie Causey and Robert (Trey) Gray, Council Members.

Members Absent: Bert L. Stone, Mayor.

Others Present: Gary Parker, City Manager; William (Bill) Miller, City Attorney; Gary Lewallen, Police Chief; Jeff Wells, Planning Director; Lori Nurse, Finance Director; and April Campbell, Deputy City Clerk.

Media Present: Walter Taylor, Archdale/Trinity News.

Item 1. Call to Order, Welcome, and Register of Attendance.

Mayor Pro Tem Blackwell called the meeting to order, welcomed everyone, and asked Chief Lewallen to register the attendance.

Item 2. Invocation.

Councilman Dorsett gave the Invocation.

Item 3. Pledge of Allegiance.

Councilman Dorsett led in the Pledge of Allegiance.

Item 4. Council Action to Accept or Amend the Agenda.

Councilman Warlick made a motion to amend the Agenda as follows:

- *Move item 8 to Item 6A Presentation of the Audit Report.*
- *Add Item 6B Public Hearing: The High Point Thoroughfare Plan.*

- *Add Item 12 A Closed Session per G.S. 143.318-11 (a) (4) Economic Development Incentives.*

Councilman Dorsett seconded the motion and the vote was unanimous to approve the amendments to the Agenda.

Item 5. Consent Agenda.

- Approval of the minutes from November 21, 2006.
- Resolution of Intent to Annex Property Owned by Diamond Builders, LLC.
- Certificate of Sufficiency for Property Owned by Diamond Builders, LLC.

Councilman Warlick made a motion to approve the Consent Agenda. Councilman Dorsett seconded the motion. The vote was unanimous to approve the Consent Agenda.

Item 6. Notices, Petitions, and Persons to be Heard.

Mayor Pro Tem Blackwell stated if there were those who wished to address Council they could do so at this time. Hearing no one, Mayor Pro Tem Blackwell moved on to the next item on the agenda.

Item 6A. Presentation of the Audit Report.

Ms. Nurse introduced the auditor's from Douglas and Associates; Wade Greene and Johnny Britt. Ms. Nurse turned the discussion over to Johnny Britt. Ms. Nurse gave the Mayor and City Council copies of the Audit Report for Fiscal Year Ending, June 30, 2006.

Mr. Britt gave an overview of the Financial Statements. The City's basic financial statements consist of three components;

- 1) Government-Wide Financial Statements.
- 2) Fund Financial Statements.
- 3) Notes to Financial Statements.

The basic Financial Statements present two different views of the City through the use of Government-Wide Statements in Fund Financial Statements. In addition to the basic Financial Statements, this report contains other supplemental information that will enhance the readers understanding of the financial condition of the City of Archdale.

Mr. Britt stated the City of Archdale received the Government Financial Officers Associations of the United States Award, for excellence in financial reporting. Mr. Britt went over several aspects of the report with Council, and added he would answer any questions Council may have.

Councilman Causey commented on the good job the Finance Department is doing for the City of Archdale.

Mayor Pro Tem Blackwell thanked Mr. Britt for his report.

Item 6 B. *Public Hearing*; Resolution on the High Point Area Thoroughfare Plan.

Mr. Wells turned the discussion over to Greg Venable from the High Point DOT Office.

Mr. Venable stated he was with the High Point MPO and they are in the process of updating their Thoroughfare Plan. Mr. Venable stated part of their requirement is to provide for public involvement. Mr. Venable said their policy requires that they go to all the members' jurisdictions and hold a public hearing, and also hold public meetings throughout the area. Mr. Venable stated they are hoping to have their third year approval from the TAC in January 2007 and are asking for Council's approval at this meeting. Mr. Venable stated he would be happy to answer any questions Council may have.

Mr. Wells stated nothing has changed in the Archdale area however; there have been some changes in some of the surrounding areas.

Mr. Venable explained the changes in other areas and added that is why they have to do updates.

Councilman Causey asked Mr. Venable if they were addressing the present problem (and the anticipated problem) from the Intersection of 311 and I-85 in the updated plans.

Mr. Venable stated this plan does not specifically address that intersection. Mr. Venable added the updates are mainly at the new facilities in the area. Mr. Venable added the US 311 bypass that is on the TIP Plan and the intersection of Business 85 and Interstate 85 is supposed to be let in February. Mr. Venable stated the intersection of Hwy 220 is to be let in the fall of 2007.

Councilman Causey stated there is a concern that when it is completed between Business 85 and Interstate 85 all that traffic is going to be coming off the new I-85 onto Highway 311. Councilman Causey stated there's already a bad situation there if you try to turn left and this Council would appreciate any help, you can offer with the state.

Mr. Venable stated with the connection of Highway 220 there will be some Federal funding so we are hoping that this will be completed in a relatively close time period.

Mayor Pro Tem Blackwell asked Mr. Venable if a copy of the map would be available here at City Hall for people to view.

Mr. Wells stated yes, there will be a map here at City Hall for viewing.

Councilman Warlick made a motion to adopt the Resolution from the High Point MPO. Councilman Dorsett seconded the motion. The vote was unanimous to adopt the resolution from the High Point MPO.

Item 7. Public Hearing: Request to Rezone Property along Archdale Road from R-40 to R-15, Being 121 acres and Randolph County parcel #s 7726494252, 7726494730, 7726490779, 7726393900, & 7726391551.

Mayor Pro Tem Blackwell asked Mr. Wells to brief Council.

Mr. Wells stated Gary White wishes to rezone properties along Archdale Road from R-40 to R-15. The site totals approximately 121 acres.

There are two single-family subdivisions that adjoin the property, Windermere Heights to the north and Kynwood Village to the south and east. Vacant land adjoins the site to the west along Archdale

Road. The site is currently located in the City's extraterritorial jurisdiction (ETJ), but Mr. White is requesting that the property be annexed into the City.

Mr. Wells noted that Mr. White's interest in the site was created by the City's plans to extend sewer to the United Furniture Industrial site along Old Glenola Road. Mr. White is proposing to construct a pump station along the southern boundary of his property to pump sewer to the planned City pump station, located east of Windermere Heights. Having sewer service to this area will provide for maximum utilization of the property, which is located in an area that has poor soils that otherwise would be difficult, if not impossible, to develop.

Mr. Wells added rezoning the site to R-15 will give Mr. White the opportunity to construct home sites that equates to a density of three houses per acre. Mr. Wells added that based on R-15 zoning, a maximum number of 351 lots could be created for this tract. Because of wetland issues on the eastern parts of the site as well as the open space requirements of the City, the number of sites will be between 225 and 250. Mr. White is proposing that the wetland areas be donated to the City for use as parkland and other recreational activities. Mr. Wells noted that the Pedestrian Network Plan has a Greenway planned through the property as part of this project. Mr. Wells stated the Future Land Use Plan has this site designated for single-family development.

Mr. Wells stated both staff and the Planning Board recommend approval of the request.

Mayor Pro Tem Blackwell thanked Mr. Wells for staff's report. Mayor Pro Tem Blackwell opened the ***Public Hearing*** for those who wished to speak in “***favor***” of the request.

Gary White, 5792 Suits Road stated Mr. Wells had given the description and plans for this property and didn't think he could add any thing. Mr. White noted that this is only the preliminary stage, and asked for approval of the request.

Mayor Pro Tem Blackwell asked if there were others who wished to speak in “***favor***” of the request. Hearing none, Mayor Pro Tem Blackwell asked if there were those who wished to speak in “***opposition***” of the request.

Opposed

- Joe Turbyfill, 4615 Pineview Drive, Trinity, President of the Homeowners Association.
- Gloria Fields, 4152 Redding County Road, Trinity.
- Ronald Fields, 4152 Redding County Road, Trinity.
- Robert Wilder, 4066 Village Drive, Trinity.
- Kevin Thompson, 4582 Virginia Court, Trinity.
- Peggy Ledwell, 10156 Archdale Road, Trinity.

Concerns

- Water runoff from the creek between Kynwood and the property where Mr. White is planning to build on, either the State or the builder should make sure this will not be a problem.
- Buffer zone between Kynwood and the new subdivision.
- Overcrowding in the schools.
- Would Archdale consider building a High School in Archdale?

- When you add 240 new homes this can mean an additional 480 cars using Archdale Road, residents were concerned Archdale Road could not handle this much traffic.
- There needs to be a traffic study done by DOT.
- Another entrance and exit from this development other than Archdale Road.

Most of those who spoke stated they are not against growth, but, you need to look at it realistically as to how much a community can hold.

Manager Parker's Comments

Manager Parker stated the essence of the comments made revolve around growth and the negative issues that result from it; overcrowding of schools, traffic and water runoff. Manager Parker wanted everyone to know that the City is also concerned about these issues. Good planning can help alleviate it, not eliminate it, but can help lessen the negative consequences of this type of development. Manager Parker added that Jeff Wells our Planning Director is the Chairman for the Technical Review Committee (TRC). The Technical Review Committee is staffed by the Police Chief, Consulting Engineer for the City, DOT and the Fire Chief. Manager Parker stated once a plan is submitted, it will be received by Mr. Wells, and both he and his staff will review those plans, before they go to the Technical Review Committee. The Technical Review Committee will review those plans and once everything is approved it will be sent to the Planning Board and to City Council for approval.

Manager Parker advised the audience that DOT will be required to do a traffic impact analysis.

Manager Parker acknowledged that the School Board looks at the impact and the needs when there is a new development. There is a new High School planned on Finch Farm Road to address the overcrowding at Trinity High School. Manager Parker stated the Board of Education periodically collects information not only from Archdale, but other cities also to look at growth and the potential overcrowding of the schools. This is how the School Board does their Capital Improvement Planning, so they can try and stay up with added growth. Manager Parker addressed the question on a High School in Archdale, stating that is up to the Board of Education.

Manager Parker addressed the issue on buffering; there is no buffer required in a situation of a residential development a butting another residential development.

Mr. Wells stated the City does not consider single-family properties adjoining another single-family as incompatible land uses, so there is no requirement for a buffer between those types of uses. Mr. Wells added this would be addressed with the developer, noting there are negative comments regarding a buffer, and they may on their own put in a buffer. Mr. Wells acknowledged this concern and this will be addressed at the TRC Meeting.

Mr. White's Comments.

Mr. White stated he lives next door to John Lawrence School and is well aware of traffic problems. Mr. White stated when he spoke with his engineers earlier in the day he was told that at the southeast corner of the property it is receiving water runoff from Kynwood Village. Mr. White noted that everything done in the new subdivision will have to meet State and Federal standards in the way they maintain and control water runoff. Mr. White stated that everything in this new subdivision will be better than what is in Kynwood Village, (that is not mean to degrade Kingwood Village), but everything in the new subdivision will be better because of the new standards that they now have to

abide by through the State and Federal Government. Kynwood Village has no stormwater controls. Mr. White addressed the issue on the buffer stating he did not understand why anyone would want a buffer from one subdivision to another, especially when the new subdivision may be better than the homes in another subdivision. Mr. White feels the subdivision he is building will increase the property values of Kynwood Village. Mr. White addressed the exit and entrances; there will be two exits onto Archdale Road. Mr. White stated there was a concern that there would be an exit into Kynwood Village, and he wanted to clarify that stating there have never been any plans to have an exit into Kynwood Village.

Attorney Miller stated from a legal point this is not a Conditional Use Plan before Council, it is strictly a Rezoning request. Attorney Miller cautioned Council, stating since they have to consider the things being stated we cannot consider what might or might not happen, we can only consider the Rezoning request and if it is appropriate zoning for this property.

Mr. White thanked Attorney Miller, however since the Planning Board Meeting there have been a lot of rumors that have occurred that are not true. Mr. White stated he realized he does not have to address the issues and concerns because this is strictly just a Rezoning request, and the only reason that he addressed the concerns is because he does not want to be enemies with anyone.

Mayor Pro Tem Blackwell closed the Public Hearing, and opened the request to Council for questions, comments, or action.

Councilman Gray stated he appreciated Mr. White's position in not wanting to make any enemies regarding some of the issues raised at this meeting, however this is a Rezoning Request only the size, price of the homes, materials to be used, traffic and other issues except to the extent that they are relevant to the rezoning are not issues for this request. Councilman Gray added the issues and concerns that were addressed by Manager Parker and Mr. White has to go before and be approved by the Technical Review Committee before anything is built.

Councilman Dorsett agreed stating this is a rezoning request only and has nothing to do with the applicant, other than the applicant requesting the rezoning. Councilman Dorsett acknowledged that if approved the zoning stays with the property once it has been rezoned, and that is what the Council has to look at. Councilman Dorsett stated times are changing in Randolph County, when you run two major interstates through this City growth is coming and all Council can do is try and control it and try to make it the best growth for everyone.

Councilman Causey stated the concerns expressed are concerns we would expect from any adjoining property owners when there is a proposed change in the zoning. Councilman Causey noted that the concerns he heard are the ones that Council has already put procedures in place to address, except for the schools. Councilman Causey stated the schools are within the Randolph County jurisdiction, and the City notifies the school board when there is going to be a growth in one area. Councilman Causey encouraged all who have the concern regarding the schools to also notify the School Board of their concern.

Councilman Causey made a motion to approve the Rezoning Request for the property on Archdale Road. Councilman Gray seconded the motion. The vote was unanimous to approve the Rezoning Request for the property located along Archdale Road.

Item 8. Was moved to Item 6A.

Item 9. Tabled Item: Text Amendments to Article X of the Zoning Ordinance (Buffering, Screening, & Landscaping Requirements).

Mayor Pro Tem Blackwell stated this item was tabled at the last meeting, and would entertain a motion to bring this back to the table.

Councilman Dorsett made a motion to return this item to the table. Councilman Warlick seconded the motion. The vote was unanimous to bring Item 9 back to the table.

Mayor Pro Tem Blackwell asked Mr. Wells to brief Council.

Mr. Wells stated this item was tabled at our last meeting in order to do additional research on buffers between industrial and residential uses. Staff researched other Cities with smaller and larger populations.

Mr. Wells stated there is very few set standards for buffers between industrial and residential uses. The ranges fall between 20-100 feet of buffer, with some having a tiered system based on the parcel size. Mr. Wells noted that the tiered system is based on whether the use is light or heavy industrial. Mr. Wells stated that judging by this staff feels the 50 foot buffer as originally proposed is in line with other jurisdictions. It is still staff's recommendation that we keep the 50 foot buffer between industrial and residential uses. Mr. Wells added if Council wishes to tier, the buffers between light and heavy as discussed last month, staff recommends that the buffer for heavy industrial remain 50 feet. Mr. Wells stated in addition, staff adjusted Section 10.1 to include some of the original language that is found in our current ordinance. These updates are highlighted in gray in Council's copy. Mr. Wells stated staff and the Planning Board recommend the rest of the ordinance remain as recommended.

Councilman Causey stated he has talked with Mr. Wells and feels good about the changes. Councilman Causey's concern is, if we put M-1 and M-2 requiring a 50 foot planted buffer, it will make it expensive to develop industrial property in our community. He realizes that in M-1 there is a reason that you need more buffering. Councilman Causey feels 50 feet for M-2 is more than we need.

Councilman Williams asked if the situation comes up and a company wants to build a building, it still has to be 50 feet from the property line, (if he is understanding this correctly). Councilman Williams asked if this building is done and they need more of a variance, would they be allowed to go to the Board of Adjustments and ask for a variance.

Mr. Wells stated yes, and the difference as Councilman Causey stated will be that M-2 will be required to have a 30 foot buffer and M-1 will require a 50 foot buffer.

Councilman Causey made a motion to amend the requirements for M-2 and require a 30 foot buffer and add a provision of a 20 foot setback for the building to be from the property line, and M-1 remain the 50 foot buffer. Councilman Causey added this way, the building would be 50 foot a way, but, they would not have to plant 20 feet of additional buffering, the extra 20 foot could be part of the driveway. Councilman Williams seconded the motion. The vote was unanimous to approve the text amendments to Article X of the Zoning Ordinance.

Item 10. Award of Construction Contracts on I-74 Sewer Outfall Relocation and UFI Sewer Outfall Installation and Resolutions.

Manager Parker went over these contracts with Council. Manager Parker started with the Sewer Outfall Relocation first, which was divided into three contracts as follows:

- Section 1: The bid for the 30" gravity sewer outfall and 18" force main came from Triangle Grading and Paving, Inc. at \$1,454,312.
- Section 2: The bid for the installation of the sewer line under I-85 was from BRS, Inc. at \$823,740.

Manager Parker noted this bid is based on predetermined lengths of machine and hand boring. The actual cost may be different from the total based on the actual conditions.

- Section 3: The bid for Checker Road pump station, gravity sewer and force main was from Triangle Grading and Paving, Inc. at 398,272.

Manager Parker advised Council the total of the three contracts is \$2,676,324. If Council approves the award of the bids the contracts will be executed as soon as possible so that work can begin soon after the first of the year and be completed by August 2007. We will not want to issue the Notice to Proceed until we have all the easements obtained or condemnations filed, or other arrangements have been made with the contractor. The NCDOT will need to review and approve the award of these contracts after the City approves them.

Councilman Causey made a motion to adopt the Resolutions awarding contracts for the Sewer Outfall Relocation including the additional condition from Jamestown Engineering for completion times. Councilman Warlick seconded the motion. The vote was unanimous to approve the Resolutions awarding contracts for the Sewer Outfall Relocation including the additional condition from Jamestown Engineering regarding completion times.

Manager Parker stated they received six bids on the UFI Sewer Line Project. Manager Parker advised Council the lowest bid was from Billings and Garrett Utility Contractors at the cost of \$1,278,860.65. Manager Parker stated this project should also begin soon after the first of the year and should be completed by the end of June. Manager Parker advised Council this award may need to be made contingent on the receipt of the sewer permit (which was applied for in September).

Councilman Warlick made a motion to approve the Resolution contingent on the receipt of the agreement from property owners or intimate domain action as to the acquisition of any easements. Councilman Dorsett seconded the motion. The vote was unanimous to approve the Resolution, contingent on the receipt of the agreement from property owners or intimate domain action as to the acquisition of the easements.

Item 11. Request for Qualifications on Space Needs Analysis.

Manager Parker stated as was discussed at a prior Council meeting staff has been looking at the expansion of the Police Department. Manager Parker reminded Council that at the last meeting staff had come to the conclusion that we needed a space needs analysis of the City's needs, before we proceed with any expansion. There were discussions on how to do the expansions, do we need separate buildings for the Police Department and the City Hall, or would it be better to join both buildings together. Manager Parker noted attached in the agenda is a draft for a Request for Qualifications.

Manager Parker stated this is for the receipt of a Statement of Qualifications from architectural/engineering firms for doing a space needs analysis. Manager Parker advised Council that staff plans to get this out immediately so that they may review the proposals with the Public Works Committee in January with the due date for the Statements of Qualifications on January 16, 2007.

If the Public Works Committee can plan their meeting for January the 17th or 18th, they could negotiate a price with the firms and have the information for Council at the January meeting.

Councilman Williams made a motion to advertise for Statements of Qualifications for a space needs analysis for the City. Councilman Warlick seconded the motion. The vote was unanimous to advertise for Statements of Qualifications for a space needs analysis for the City.

Item 12. Consideration of Stormwater Consultant Interview Process.

Manager Parker stated staff has reviewed the Statements of Qualifications from eight engineering firms, who are interested in establishing our Storm Water Management Program. As the attached memo to the Utility Committee indicates, staff found the proposal from Jewell to be the best one. Manager Parker added he had attached a summary from the Jewell proposal in order to show Council, what the engineering firms proposals included and specifically what Jewell would be able to do for the City. Manager Parker stated staff ranked Amec second and Arcadis third in the proposals. Council may want to delegate interviewing to the Utility Committee, or the entire Council may want to conduct the interviews. Manager Parker noted Council may want to set interviews with the three firms before deciding which to choose. After selecting a firm, we will then negotiate a price.

Councilman Causey made a motion for the Utility Committee to interview all three proposals and with the one they recommend bring to Council to hear the presentation on the one they recommend. Councilman Gray seconded the motion. The vote was unanimous for the Utility Committee to interview all three proposals and to bring the one they recommend to Council to hear the presentation of the firm recommended.

Item 12 A. Closed Session per G.S. 143.318-11 (a) (4) Discussion on Economic Development.

Councilman Dorsett made a motion to enter into closed session. Councilman Williams seconded the motion. The vote was unanimous to enter into closed session.

Upon returning from closed session, where no action was taken Council went back into regular session.

Item 13. Additional Items.

Manager Parker stated Council needed to approve the PARTF Resolution. Manager Parker advised Council this is to authorize the City to apply for the Grant Application.

Councilman Williams made a motion to approve the PARTF Resolution. Councilman Dorsett seconded the motion. The vote was unanimous to approve the PARTF Resolution.

Manager Parker gave Council updated information on the Rush Hollow drainage project. Manager Parker advised Council that Miller Grading has found approximately 14 natural springs, which explains why this area has stayed so wet. Manager Parker acknowledged that this investment by the City to improve the situation is going to carry that run off better. Manager Parker added it is a slow

process and they can plan on the \$82,000 plus to complete this project. Manager Parker made note of the decking around a pool being in the City's right-of-way (and the homeowner knew it was in our right-of-way) and asked the contractor to itemize the additional cost involved in working around that decking. Manager Parker stated if Council is in agreement we can approach the property owner with the bill that has resulted from his decking being in our right-of-way. Manager Parker stated he had advised the gentleman in writing over a month ago, reminded him in the easement acquisition, and had spoke to him face to face that the City may have to take the decking down at the owner's expense. Manager Parker asked for Council's feelings on this situation, because the cost will be increased.

Councilman Dorsett asked Attorney Miller if they are six feet onto our easement can we not issue a writ that would require them to move the decking. Councilman Dorsett stated the property owner was told to wait on putting up the fencing by him, Mayor Pro Tem Blackwell, and Mike Shuler, the Public Works Director.

Attorney Miller stated in connection with this work you could because of the additional cost.

Councilman Warlick feels that all that are in the City's right-of-way should have to pay. Councilman Warlick does not feel that the rest of the city should have to pay for people violating their property boundaries. Councilman Warlick stated the property owner should be the one to remove the fencing, and if not, the City would not be responsible for any damages.

Ms. Nurse stated the problem with the City removing the fencing is if any of the lumber is damaged we would have to pay for the damages, as opposed to the property owner removing the fencing himself. Ms. Nurse advised Council there would have to be a budget amendment because some how they ended up with an open ended contract.

Manager Parker stated that he and Ms. Nurse are not beyond discussing this with Attorney Miller as to what could have been foreseen as part of the original bid.

Mayor Pro Tem Blackwell asked Manager Parker if he had other Retreat items he would like to discuss.

Manager Parker stated in one of the items for discussion was a suggestion to ask DOT for the possibility of traffic signs along 311 alerting drivers of what lanes to access for the interstate. Manager Parker feels that this would be something that staff would need to do rather than a retreat item.

Manager Parker acknowledged the request for modifications to the Privilege License, and not knowing exactly what the modifications are, this could also be something that staff could work on.

Councilman Warlick stated he mentioned this because if he has to have a Privilege License for rental property everybody else should have to pay. Councilman Warlick added that Ms. Nurse has stated there's no way to enforce this so we need to strike rental property from the Privilege License requirement.

Ms. Nurse stated we can usually get them through the water and sewer if they change the name into the renter's name. Ms. Nurse added if they rent property and never tell the City and it stays in their name, she does not know of any way we would know if someone has rented their property and not told the City.

Councilman Causey asked if there was a way to search on the water and sewer records, and if Councilman Warlick has three meters at three different addresses, could we assume that two of those are rentals until he tells us something different, because the billing address would not be the same as the service address.

Councilman Warlick stated that a person living in Greensboro, owns two apartments behind his house and is not paying for a Privilege License. Councilman Warlick stated in this case there would be no way for Ms. Nurse to find him. Councilman Warlick stated the owner told him he did not know what I was talking about when I asked if he had a Privilege License.

Ms. Nurse stated when someone comes in for new service the ladies as if they are buying or renting the property. Ms. Nurse added if they are renting they have to bring in their rental agreement.

Councilman Causey asked if they could start checking the tax records. Councilman Causey stated if he's buying the property he should have proof that he is buying or that he owns the property.

Mr. Wells stated the tax records are not updated daily, we get new GIS data from the them twice a year.

Councilman Dorsett asked if there were enough rental accounts in the Privilege License requirement that is worth the time.

Councilman Causey stated something that is more important is are we doing our job on the water/sewer side, I would think we are getting deposits on the rentals, and if a renter wants to avoid paying a deposit they could say they are buying the house. Councilman Causey feels we need verification if a person requesting new service states they are buying the home. Councilman Causey added we should consider it a rental property, unless they can show us otherwise, and they would need to pay a deposit.

Councilman Causey feels this should be discussed at the retreat so that we can put in safeguards.

Ms. Nurse stated staff will look at rental property in regards to the Privilege License, and will try to prepare information for discussion.

Manager Parker stated there are some other items that he feels are agenda items, or something that he can get back with the individual Council Member about. Manager Parker advised Council that staff would be preparing a draft agenda for Council to review.

Councilman Williams requested Manager Parker include substandard housing that was on his list for discussion at the retreat.

Mayor Pro Tem Blackwell asked if there were additional items from Council.

Councilman Dorsett stated he had a couple of items;

- 1) He wanted to thank the City crew for the work on Kinview Drive.
- 2) Councilman Dorsett reported there was a street light out at the corner of Friends and Wood Avenue.
- 3) Councilman Dorsett stated he had, had numerous calls regarding the Christmas lights.

- 4) Councilman Dorsett gave Council a memo regarding the last meeting with the PTRWA. Councilman Dorsett stated each City will be contacted to get a break down of our current rates and some financial information. Councilman Dorsett advised Council this is being done so they can get recommendations on Bond issues and how we rate in preparation of the cost to build this plant.
- 5) Councilman Dorsett stated that where the tractor trailers are turning onto Cheyenne Street they are making a mess and asked if there was anyway to stop them from turning in on Cheyenne and have them turn in at the loop road instead.

Manager Parker stated they could try, by putting up signs.

Mayor Pro Tem Blackwell stated that at the corner of Ashland and Lonita Street he had, had an inquiry on what they were going to do about the garage that was built on the corner.

Manager Parker advised Council the person who complained is no longer complaining so they will not be doing anything.

Mayor Pro Tem Blackwell stated there are two vacancies on the Planning Board and he would like to see those positions filled.

Councilman Dorsett stated Lynwood English has picked up an application and has expressed an interest in serving on the Planning Board as the ETJ representative.

Mr. Wells advised Council that if Mr. English is selected at the January meeting, we can forward our selection to the County Commissioners for their February meeting for approval. Mr. Wells stated if approved Mr. English could take a seat on the Planning Board in March.

Councilman Causey addressed Mr. Wells in regards to the other person who has applied for a seat on the Planning Board who is currently serving on two other Boards. Councilman Causey feels there are plenty of people in the City that could serve on the Planning Board who are not on other Boards. Councilman Causey suggested to Council to ask that person if they would be willing to drop the other Boards to serve on the Planning Board.

Mayor Pro Tem Blackwell agreed partly with Councilman Causey, but feels they should only have to give up one of the other Boards. Mayor Pro Tem Blackwell reminded Council there are people currently serving on the Planning Board that serves on other Boards.

Councilman Causey stated he would not ask anyone now serving to give up their service on other Boards, but would like to see this go into affect for any new members to the Planning Board.

Mr. Wells stated there was only one person who has shown interest in Ward II, and he will ask that person (Gail Gurley) if they would be willing to only serve on the Planning Board.

Item 14. Adjournment.

With no further business, Mayor Pro Tem Blackwell adjourned the December 19, 2006 meeting.